

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(RICHMOND DIVISION)**

CHEMTREAT, INC., )  
                        )  
Plaintiff,           )  
                        ) Civil No.: 3:19-cv-00063  
vs.                   )  
                        )  
CERTAIN UNDERWRITERS AT   )  
LLOYD'S OF LONDON SUBSCRIBING   )  
TO POLICY NO. B0509FINPS1700245,   )  
                        )  
Defendants.           )

**CHEMTREAT, INC.'S  
MOTION FOR SUMMARY JUDGMENT**

Pursuant to Rule 56, Fed. R. Civ. P., ChemTreat, Inc. moves for summary judgment, to which it is entitled as a matter of law, on the grounds that: (1) Insuring Agreement I.A. in Policy No. B0509FINPS1700245 (the “Policy”) covers claims arising out of the *Windsor* Action; (2) Underwriters wrongfully denied coverage by relying on three Policy exclusions, none of which exclude coverage under the undisputed material facts in this case; and (3) regardless of whether there was a duty to indemnify, Underwriters had a duty to defend ChemTreat in the underlying *Windsor* Action, but did not, as a result of which ChemTreat is therefore entitled to damages in an amount ChemTreat will prove at trial.

ChemTreat sets forth the bases for its motion for summary judgment in more detail in the accompanying memorandum of law.

Dated: September 23, 2019

Respectfully submitted,

/s/ Constantinos G. Panagopoulos

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*Attorneys for Plaintiff ChemTreat, Inc.*

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 23rd day of September 2019, I have filed electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record, including:

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